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36936-011805

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JANUARY 18, 2005
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, January 20, 2005, at 7:00 p.m., and Saturday, January 22, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Shining Star Award.

A Shining Star Award was presented to Mr. Jerry L. Dunnivant.
File #80

3.

CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, November 15, 2004.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.
File #110-132**

- C-3 A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the mid-year performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.
File #132**

- C-4 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.
File #132**

- C-5 Qualification of the following persons:

Harry F. Collins, Sr., as a member of the Local Board of Building Code Appeals, for a term ending September 30, 2009;

Kermit E. Hale and Benjamin S. Motley as members of the Board of Zoning Appeals, for terms ending December 31, 2007;

Gwendolyn W. Mason as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2007;

Paula L. Prince and Richard A. Rife as members of the City Planning Commission, for a terms ending December 31, 2008;
and

Daniel E. Wooldridge as a member of the Roanoke Civic Center Commission, for a term ending September 30, 2007.

**RECOMMENDED ACTION: Receive and file.
File #15-32-51-67-110-192-200**

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of the Conflict Resolution Center to report on the Community Solutions program. William D. Elliot, President, Spokesperson. (Sponsored by Vice-Mayor Fitzpatrick and Council Member Cutler.)
File #23-132

- b. Request of the Roanoke City Retirees Association to discuss a cost of living increase and a supplemental allowance for health insurance for City retirees who are 65 years of age or older. C. R. Martin, President, Spokesperson. (Sponsored by Mayor Harris and Vice-Mayor Fitzpatrick.)

**Referred to fiscal year 2005–2006 budget study.
File #60–184–429**

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFING:

Rehabilitation Tax Abatement – 20 Minutes

ITEMS RECOMMENDED FOR ACTION:

- 1. Adoption of a resolution discontinuing certain limited access features on Wonju Street as a part of Route 220.

**Adopted Resolution No. 36936–011805. (7–0)
File #77–450–514**

- 2. Acceptance of Fiscal Year 2005 Virginia Department of Fire Programs Grant funds, in the amount of \$186,914.00.

**Adopted Budget Ordinance No. 36937–011805 and
Resolution No. 36938–011805. (7–0)
File #60–70–236**

- 3. Appropriation and transfer of funds in connection with the Aviation Drive and Towne Square Boulevard, and Huff Lane Streetscape Improvements transportation projects, in the amount of \$500,000.00.

**Adopted Budget Ordinance No. 36939–011805. (7–0)
File #9–20–60**

4. Authorization to submit a street inventory for State maintenance eligibility payments to the Virginia Department of Transportation for approval by the Commonwealth Transportation Board.

**Adopted Resolution No. 36940-011805. (7-0)
File #77-514**

5. Execution of an agreement with the Virginia Department of Transportation in connection with the Roanoke River Greenway Project; and appropriation of \$200,000.00 of TEA-21 Enhancement funds.

**Adopted Budget Ordinance No. 36941-011805 and
Resolution No. 36942-011805. (7-0)
File #60-379-422**

b. CITY CLERK:

1. Notice of expiration of the three-year terms of office of Robert J. Sparrow and William H. Lindsey as Trustees of the Roanoke City School Board on June 30, 2005. Applications for the vacancies will be received in the City Clerk's Office until 5:00 p.m., on Thursday, March 10.

**Adopted Ordinance No. 36943-011805 simplifying
the process for filling vacancies on the Roanoke City
School Board. (7-0)
File #24-467**

c. DIRECTOR OF FINANCE:

BRIEFING:

Real Estate Reassessment Process – 15 Minutes

7. REPORTS OF COMMITTEES:

- a. Request of the Roanoke City School Board for appropriation and transfer of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 36944-011805. (7-0)
File #60-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Cutler called attention to the popularity of bus service between the City of Roanoke, Ferrum College, Roanoke College and Hollins University, and the Smart Way transit service between Roanoke and Blacksburg has generated considerable interest.
File #55-132-467**

**Council Member Cutler advised that the City of Roanoke has learned that the \$500,000.00 that Congressman Goodlatte was instrumental in securing from the Department of Transportation for the Dr. Martin Luther King, Jr. Memorial Bridge, which was originally restricted to a vehicular bridge, can now be used for a pedestrian bridge.
File #102**

Council Member Dowe congratulated various entities within the City of Roanoke for hosting celebrations honoring the life of Dr. Martin Luther King, Jr., on Monday, January 17. He also congratulated Council Member Lea who served as keynote speaker at the SCLC Freedom March program on January 17. He commended the citizens of the City of Roanoke on continuing to grow in various areas of diversity and encouraged citizens to examine themselves to ensure that they are a part of the solution in order to make a difference in their City.

File #80-132

Council Member Lea expressed appreciation to the Members of Council for their attendance at various Dr. Martin Luther King, Jr. activities which were held throughout the weekend. With regard to the proposed methadone clinic on Hershberger Road, he inquired if the City of Roanoke can regulate operating hours of the clinic so as not to conflict with operating hours of schools in the area; can the City enact legislation that would prohibit drugs from leaving the premises of the methadone clinic; and has the City received notification of the official opening date of the methadone clinic.

File #76-80-132-467

(See minutes of the Council meeting for responses by the City Attorney/City Manager.)

The Mayor expressed appreciation to Council Members and Council Appointed Officers for their participation in the Council's Planning Retreat which was held on Thursday, January 13, 2005.

File #132

The Mayor commended all persons who participated in the Cradle to Cradle housing program. He advised that the reception was well attended and called attention to the geographic diversity of those persons who submitted applications from throughout the world; the competition showcased the City of Roanoke; judges were stellar in their individual areas of expertise; and an interest has been expressed on how to build this year's competition.

File #80-178

The Mayor advised that a luncheon was held on Tuesday, January 11, 2005, to present service awards to long term City employees. He commended the Members of Council for their attendance and support of those employees who serve the citizens of Roanoke.

File #80-132-184

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., spoke in support of the installation of a soccer field in East Gate Park. He asked that Victory Stadium not become a part of Roanoke's past and that the facility be renovated for present and future generations of Roanokers.

File #67-122

Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of renovation of Victory Stadium. He commended the Council on the decision to make the First Street Bridge a pedestrian bridge as a tribute to Dr. Martin Luther, Jr. In lieu of razing the structure, he suggested that the former airport terminal building be used for office space.

File #9-102-122

Mr. Robert Gravely, 727 29th Street, N. W., spoke in opposition to the City engaging the services of private contractors to remove snow from City streets; an inadequate pay scale for City employees; indecision regarding the future of Victory Stadium; the loss of the City's population base; and the lack of entertainment opportunities/attractions in downtown Roanoke.

File #66-122-184-410

12. CITY MANAGER COMMENTS:

The City Manager reported on the Cradle to Cradle housing design competition that attracted over 1000 visitors to the Art Museum of Western Virginia. She called attention to future plans to ensure that some of the housing designs are constructed, jurors have encouraged the City to replicate the competition on an annual basis, and a recommendation will be submitted to Council in the near future. She advised that the next phase will identify resources, both public and private, to construct several houses and to welcome to the community many of the students who participated in the competition so that they may witness the process of moving from a design concept to actual construction.

File #80-178

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JANUARY 18, 2005
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call.

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

The Council meeting will be televised live on RVTV Channel 3 to be replayed on Thursday, January 20, 2005, at 7:00 p.m., and Saturday, January 22, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Request of Carilion Medical Center and CHS, Inc., that a 15 foot alley running between Whitmore Avenue and Reserve Avenue, S. W., and parallel to Jefferson Street, be permanently vacated, discontinued and closed. Daniel F. Layman, Jr., Attorney.

**Adopted Ordinance No. 36945-011805. (7-0)
File #514**

2. Amendment of Vision 2001-2020, the City's Comprehensive Plan, to include the Fairland and Villa Heights Neighborhood Plan. Robert B. Manetta, Chair, City Planning Commission.

**Adopted Ordinance No. 36946-011805. (7-0)
File #200-424**

3. Amendment of Vision 2001-2020, the City's Comprehensive Plan, to include the Grandin Court Neighborhood Plan. Robert B. Manetta, Chair, City Planning Commission.

**Adopted Ordinance No. 36947-011805. (7-0)
File #200-424**

4. Proposal of the City of Roanoke to issue a revocable permit for air rights to Colonial Partners, LLC, across a portion of City owned property known as 204 Jefferson Street for a period of five years, subject to renewal upon mutual agreement of the parties and for the initial consideration of \$2,800.00, to allow construction of a pedestrian bridge and associated lighting and security cameras to connect to the City's Market Square Parking Garage. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36948-011805. (6-0 – Council Member Cutler abstained from voting.)
File #481-516**

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed to boards and commissions:

**Roanoke Neighborhood
Advocates
File #15-110-488**

**Maurine P. Castern for a term
ending June 30, 2007.**

**Youth Services Citizen Board
File #15-110-304**

**Frances L. Craveb to fill the
unexpired term of
F. B. Webster Day, resigned,
ending May 31, 2006; and
Mark H. Hurley to fill the
unexpired term of Cheryl D.
Evans, resigned, ending
May 31, 2006.**

**Blue Ridge Behavioral HealthCare
Board of Directors
File #15-110-314**

**Vincent G. Dabney for a term
ending December 31, 2007.**